

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKJames Patrick Flynn III

14CV0172

(In the space above enter the full name(s) of the plaintiff(s).)

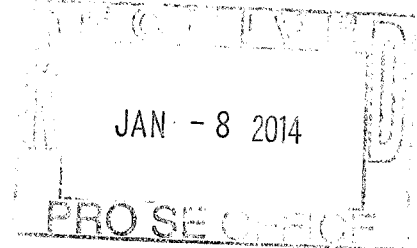
## COMPLAINT

-against-

Montefiore Medical Center (Childrens Hosp.)  
Albert Einstein College of Medicine (Yeshiva Univ)Jury Trial: ☒ Yes ☐ No  
(check one)The United States:

- Dept. of Energy (OSTI)
- Dept. of Health and Human Services
- Dept. of Defense
- Central Intelligence Agency
- Dept. of Justice

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)



## I. Parties in this complaint:

- A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name James Patrick Flynn III; C.O.C.# AN9064  
 Street Address P.O. Box 5242; CSATF; D5-135  
 County, City Kings County, Corcoran  
 State & Zip Code CA, 93212  
 Telephone Number \_\_\_\_\_

- B. List all defendants. You should state the full name of the defendant, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name Montefiore Medical Center and Childrens Hospital  
 Street Address 111 East 210th Street

County, City Bronx  
 State & Zip Code New York, 10467  
 Telephone Number (718) 920-4921

Defendant No. 2 Name Albert Einstein College of Medicine of Yeshiva University  
 Street Address 1300 Morris Park Avenue  
 County, City Bronx  
 State & Zip Code New York, 10461  
 Telephone Number (718) 430-2000

Defendant No. 3 Name The United States Department of Energy  
 Street Address 1000 Independence Avenue, SW  
 County, City Washington  
 State & Zip Code D.C., 20585  
 Telephone Number (202) 287-1579

Defendant No. 4 Name The United States Department of Health and Human Services  
 Street Address 200 Independence Avenue, SW  
 County, City Washington  
 State & Zip Code D.C., 20201  
 Telephone Number (301) 837-2024 (cont.)

## II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. Only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case.

A. What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal Questions (28 U.S.C. § 1331) ☒ Diversity of Citizenship (28 U.S.C. § 1332)

B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue? 28 U.S.C. § 1391 (a) (Federal & Corporations); Civil Rights Act, 42 U.S.C. § 1983; (FTCA) 28 U.S.C.A. §§ 1346; 22 U.S.C.A. § 6771, 2464, 50 U.S.C.A. § 1520a Human Experimentation Act 42 U.S.C.A. § 9607, 9604; 42 U.S.C. 6601; 50 § 401 nt, Exec. Or. No 12353; 6 U.S.C.A. § 112 nt; 42 U.S.C.A. § 2011 etc. 10 U.S.C. § 930 42 ALR 6th 301 (WL)

C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship California

Defendant(s) state(s) of citizenship New York and Washington, D.C.

## III. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events.

B. (cont.) List all defendants.

Defendant No. 5 Name The United States Department of Defense (DOD)

Street Address The Pentagon

County, City Washington

State & Zip Code D.C., 20301

Telephone Number (703) 545-6700

Defendant No. 6 Name Central Intelligence Agency (CIA)

Street Address

County, City Washington

State & Zip Code D.C., 20502

Telephone Number

Defendant No. 7 Name The United States (Dept. of Justice)

Street Address 1425 New York Avenue, NW

County, City Washington

State & Zip Code D.C., 20530

Telephone Number

You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur? At Montefiore Medical Centers' Childrens Hospital and the Classrooms of Albert Einstein College of Medicine of Yeshiva Univ, Bronx, NY.

B. What date and approximate time did the events giving rise to your claim(s) occur? From birth to 1965, to June 12-20-27, 1969, to 1974, to Current Date.

To the Honorable Judge of the U.S. District Court:

C. Facts: 1. As a child, Montefiore Medical Centers' Childrens Hospital and Albert Einstein College of Medicine of Yeshiva University in association and cooperation with the United States Government and the various Departments and Agencies there-of, did subject me to the torture and torment of Scientific and Medical Experimentation, and premeditated my Death, in violation of all my Constitutional, Civil and Universal Human Rights.

2. For the purpose of Medical Experimentation, Montefiore Medical Center bought me from my parents, James Patrick Flynn Jr. and Rose Anne Flynn Jr., by giving James Patrick Flynn Jr. a full time union job (Teamsters Local 272) at Montefiore Hospital as a stationary engineer with full medical coverage and benefits. He worked there for Twelve (12) Years, to use me as a Human Guinea Pig for Eight Years (8<sup>+</sup>), from 1965 to 1974 (is Nine (9) years).

3. Medical records reveal that as part of a Project aimed at poor and underprivileged families with sick children, Montefiore Medical Center did psychologically evaluate me and my family as part of the screening process, for Scientific Medical Experimentation and Research, in violation of the 1<sup>st</sup> Am. etc.  
(cont.)

What happened to you?

Who did what?

Was anyone else involved?

Who else saw what happened?

#### IV. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. Your Honor, the list is enormous.

- |  |  |
|--|--|
| <u>1. Eight (8) Years of Suffering</u>         | <u>11. Human Radiation Experimentation</u>                         |
| <u>2. Three (3) Deaths (Murder)</u>            | <u>12. Human Medical Experimentation</u>                           |
| <u>3. Brain-Dead (Vegetable)</u>               | <u>13. Biological &amp; Chemical Agents &amp; Drugs (Hypnosis)</u> |
| <u>4. Astronomical Temperature (111°)</u>      | <u>14. Small Pox, Cholera (etc) (Guinea Pig)</u>                   |
| <u>5. Brain Damage (Cognitive Reasoning)</u>   | <u>15. Progressive Torture of a Child</u>                          |
| <u>6. Right Frontal Lobe</u>                   | <u>16. Abandonment</u>   |
| <u>7. Temporal Lobe</u>                        | <u>17. Forty Years of Psychiatric Care</u>                         |
| <u>8. Brain Stem</u>                           | <u>18. Two Dozen Mental Hospitals</u>                              |
| <u>9. Over 500 School Days missed (K-6)</u>    | <u>19. Numerous Psychiatric Medications / Diagnoses</u>            |
| <u>10. Hundreds of Hospitalizations (etc.)</u> | <u>20. Post Traumatic Stress 21. Suicidal</u>                      |

1 C. Facts: 4. Your Honor, Montefiore Hospital did knowingly use my Birth Defect of the  
2 Ureter Ducts as cover to conduct and conceal Human Experimentation. Medical records reveal  
3 I suffered literally hundreds of life threatening medical complications over a prolonged period  
4 of nine (9) years caused by Human Experimentation and a defect of my ureter ducts that carry  
5 away urine from the kidneys to the bladder. Urine was escaping by spraying through microscopic  
6 holes in the ureter ducts flooding my system with urine, internally poisoning my blood stream,  
7 causing the deadly results of urine toxicity poisoning which would follow.

8  
9 5. Along with the telltale signs and symptoms of this defect, which every doctor  
10 was trained to identify, dozens of STAT orders for blood analysis were done which  
11 were clearly indicating my urine to blood toxicity levels were "200 X's" what any normal  
12 child would have. But Montefiore Doctors concealed and destroyed and forged  
13 these results to allow the progressive and deadly nature of the defect to run its  
14 course for the purpose of Experimentation.

15  
16 6. At the age of seven (7), on June 12, 1969, I was admitted to Montefiore  
17 with a temperature of 107°, which ran to "Astronomical" and 111°. Being held down by  
18 nurses, doctors injected hundreds of substances in my back, buttocks and legs. I  
19 then suffered three (3) cardiac arrests and clinically was dead for (4<sup>th</sup>) minutes,  
20 (7<sup>th</sup>) minutes and (11<sup>th</sup>) minutes. I was then pronounced dead. This is when a Doctor  
21 injected my dead body with a deadly radioactive substance in my chest. For  
22 unknown reasons, Montefiore authorities repeatedly tried to end my life. Doctors  
23 and Priests at Montefiore signed the Notification of Death Certificate which they  
24 would later give the original to my mother (who is a witness) for a keep sake.  
25 Priests performed communion, confirmation and last rites. And then I  
26 was disconnected from all life support machines and doctors told my  
27 dad they couldn't save me. He was watching it all through a glass  
28 window in the I.C.U. Unit. My mom fainted.



T.

C. Facts: On or about June 12, 1969, medical records and New York News Agencies reports confirm, "Miracle Boy in the News." After being pronounced dead someone among the staff of Montefiore found me with a Heartbeat. I do not know the circumstances of how they found me alive. Due to being Clinically Dead for so long without heart beat, pulse, brain waves and oxygen being supplied to my brain, doctors declared me Brain-Dead and a Vegetable. My mom heard and saw it all.

8. On or about June 12, 1969, "Whistle Blowers" from Montefiore Staff went to New York City News Agencies and revealed information on Montefiore's Scientific Research Projects on "Children Sold For Medical Experimentation" which they were conducting on me and other innocent children. It wasn't until years later and the release of classified information to the U.S. Senate Commission that the U.S. Govts. involvement in the Human Experiments at Montefiore/Einstein was released to the public.

9. On June 20, 1969, after (7) days and against all odds I awoke from a "Coma" and the Miracle seemed complete. Flustered, Montefiore Authorities literally kick me out of the hospital that very same day to recover at home.

Re: Children Sold For Medical Experimentation:

10. June 27, 1969, New York City News Agencies report Montefiore Directors admit to using "Children Sold For Medical Experimentation and Scientific Research" establishing a "Trust Fund" for me and the other children who were victims of these Atrocities. All this on the very week I was discharged, and it has now been 4 1/2 years since the Trust was established.

U.S. Dept. of Energy

Madelyn Wilson (FOIAO) Re: Human Radiation Experiments

(865) 576-8408

: Montefiore Med. Center, June 27, 1969

October 21, 2013

URL: <http://www.oesti.gov/scitech/biblio/93493>

From Pg. 3

C.

Facts: 11. As part of a deceptive public relations effort, Montefiore Medical Center, while admitting to Experimenting on Children and establishing a very lucrative Trust for the child Victims and donating hundreds of thousands of dollars to various Childrens Groups and Organizations, such as the Boy Scouts Club of America, etc., to sway negative public opinion, did not inform me or my family to the monetary compensation I was entitled to as a victim of unthinkable atrocities and crimes against humanity.

Therefore, the plaintiff has now gone 44 1/2 years of his life "without" compensation, supporting proof of the Trusts existence, its amount on June 27, 1969, its Terms and Conditions, its accrued Assets over this 44 1/2 year period, and without proper Medical and Psychiatric treatment over the period of my whole life since.

Facts: 12. Montefiore Med. Cntr. and Albert Einstein College of Medicine of Yeshiva University in association with United States Government Departments and Agencies within the (DOJ) (DOE), (HHS), (DOD), (CIA) and possibly other unknown entities known only to Montefiore Med. Cntr. and Albert Einstein (Yeshiva Univ.), did do Scientific Medical Experimentation and Research on Children with Radiation, Radioactive Materials, Deadly Toxins and Diseases used for Biological and Chemical Warfare, Experimental Drugs and Toxins designed as Truth Serums in the use of Hypnosis. There has to be a Trail of Evidence detailing all the U.S. Govt. Grants received by Montefiore and Einstein Depts, despite all their efforts to destroy and falsify the evidence.

Fact. 13. Montefiore Med. Center's Chief Staff oversees the schooling, training and Internships of Albert Einstein College of Medicine of Yeshiva University Students. Yeshiva Univ. and Albert Einstein College of Medicine in 1969 had Institutions established in the Bronx, N.Y., Manhattan, N.Y., Tel Aviv, Israel and other locations. Therefore, Montefiore Medical Center and (cont)

From Pg. 3

C.

1 Facts: 13 (cont.). Albert Einstein College of Medicine of Yeshiva Univ. did accurately  
2 and extensively document and record in detail and duplicate all the results of  
3 the Scientific Medical Research and Experimentation they were conducting on me,  
4 other children, and unwitting patients under their care. These documents  
5 are necessary for examination to determine and expose exactly what experiments  
6 were being done, who they were being done in association with, who they were  
7 being done to, and whether the Victims were named or not, or redacted.  
8 These same documents were copied and given to the U.S. (DOJ), (DOE), (DOO), (HHS) & (CIA).

9 Facts: 14. Your Honor, from the approximate age of 3 (Three) to 8 (Eight) I  
10 would be afflicted with various illnesses and infections that progressed  
11 in measure of pain, suffering and seriousness as a result of the  
12 Birth Defect. Because dad worked at the hospital, my mom would have to  
13 call for an appointment or emergency room care. There were occasions when  
14 Montefiore would have my mother bring me in to Albert Einstein College Classrooms  
15 instead of the Pediatrics ward. Depending on what my medical symptoms were the  
16 appointments would be made according to inflammation and accuteness. Sometimes  
17 I would lie suffering and crying in bed for days and nights. The  
18 appointments would be made very early, about 8 am. At the College Doors, mom  
19 would ring a bell. The corridors would be dark and the nurses would put me in  
20 a rollaway bed located in the corridor outside the Classrooms. The nurses would  
21 disappear for awhile and then come back with an Injection that would almost  
22 instantly relieve me of all pain. Then I would be brought into a big dressing room  
23 with lockers and a nurse would undress me. Totally naked, I would be brought  
24 into these bright Classrooms filled with Doctors and guided to stand on a  
25 white wooden box that would make me taller. The Chief Doctor would introduce  
26 me to his class, sometimes he would say, "Our Miracle Boy", he would then talk medical  
27 jargon and then his students would diagnose whatever was wrong with me at the time.  
28 Soon after the Miracle my mother would refuse to take me to the classrooms again...



1 C. Facts: 15. Your Honor, Montefiore's Experimental Project included the use of Hypnosis.  
2 At the age of (5), there were hospital visits in which my mom was not allowed in the room.  
3 A nurse would give me an injection in each arm. A man in civilian clothes would come in  
4 and put me under by swinging a gold medallion and speaking softly. This happened  
5 atleast (3) times, and psychologically "Bad Things" started happening at this precise period.

6  
7 16. At the age of (12), the spring & summer of 1974, the Symptoms of the  
8 deadly past of 65', 69', & 72' started happening again. I was hospitalized and  
9 dying. My mom accompanied me while STAT Tests were being done. An X-Ray Tech.  
10 inadvertently diagnosed the Symptoms to my mother. All hell broke loose. Montefiore  
11 flew in the very best Kidney Surgeon from England to perform a very costly (?)  
12 5 1/2 Hour, 5000 Stitches, Re-Implantation of my Ureter Ducts because  
13 they were backwards.

14  
15 17. Montefiore, Albert Einstein and U.S. Govt. Agencies have forged, destroyed  
16 and lied to actively hide all evidence of Experimental Projects they were conducting on  
17 Human beings protected by the U.S. and State Constitutions, Civil Rights and moral laws.  
18 It is clear to any Doctor (witness: Dr. Cohen, Sylmar Med. Group), that Montefiore Med.  
19 Ctr. has maliciously forged my medical records which are now in the possession of the  
20 People of California Court Computer files. Only a "Trial by Jury" will expose in a Court  
21 of Law what was done to me and the Justice denied me all my life.

22 18. For (30+) years I subconsciously blacked out what Montefiore did to me as an  
23 innocent child. When I started to bring up these horrific memories I tried to find evidence  
24 of what happened and why. On [October 21, 2013], the U.S. Dept. of Energy, as part of my  
25 FOIA Request (# OSTI-2014-00075-F), sent me the URL information of their  
26 own Web Sites detailing "Human Radiation Experimentation" they were conducting in association  
27 with the (DOD), (HHS), (Montefiore/Einstein) and American Guinea Pigs at the time I was  
28 in Montefiore's care. I finally had the evidence I needed to file this Civil Action.

**V. Relief:**

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation. Your Honor, I am requesting the following relief: One Billion, Two Hundred Million Dollars (\$1,200,000,000) of monetary compensation to compensate for the Trust Fund established on June 27, 1969, plus the 44 1/2 years of accrued compound interest and investments according to market value beginning the year 1969, and every year through 2014, according to a fair and honest valuation of the Initial Trust Balance, to be administered by such defendants that this court finds liable and accountable for the following basis:

- |   |   |
|---|---|
| 1. Pain and Suffering (48 yrs)                | 8. Forgery of Medical Records                               |
| 2. Permanent Injury (48 yrs)                  | 9. Destruction of Experimentation Records & Medical Records |
| 3. Psychological Suffering (48 yrs)           | 10. Child Abuse/Torture                                     |
| 4. Abandonment (48 yrs)                       | 11. Deliberate Indifference                                 |
| 5. Violating my Civil & Constitutional Rights | 12. Malicious Intent / Premeditation                        |
| 6. Violating my Universal Human Rights        | 13. Malpractice / Negligence                                |
| 7. Wrongful Death (3) Murder                  | 14. Radiation & Medical Experimentation Guinea Pig / Child  |

I, the Plaintiff, seek a jury to justify this Award before this Honorable Court. I Thank You!

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 31<sup>st</sup> day of December, 2013.

Signature of Plaintiff

Mailing Address

Telephone Number

Fax Number (if you have one)

James P. Fly AN9064  
CSATF, D5-135  
P.O. Box 5242  
Corcoran, CA 93212

**Note:** All plaintiffs named in the caption of the complaint must date and sign the complaint. Prisoners must also provide their inmate numbers, present place of confinement, and address.

**For Prisoners:**

I declare under penalty of perjury that on this 31<sup>st</sup> day of December, 2013, I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff:

Inmate Number C.D.C.

James P. Fly  
AN9064  
California Substance Abuse Treatment Facility

Inmate's name (print) James P. Flynn III  
CDC number AN9064  
Housing Unit (Yard, 0) Building # 5/135

14CV0172

### PROOF OF SERVICE BY MAIL

I UNDERSIGNED, CERTIFY THAT I AM OVER THE AGE OF EIGHTEEN (18) YEARS OF AGE. THAT I CAUSED TO BE SERVED A COPY OF THE FOLLOWING DOCUMENT:

LEGAL/CONFIDENTIAL MAIL ADDRESSED TO:

U.S. Dist. Court / So. Dist of N.Y.  
500 Pearl St, Rm. 200  
New York, NY 10007-1312  
Pro Se Office; Ruby J. Krajick

BY PLACING THE LEGAL/CONFIDENTIAL DOCUMENTS ON AN ENVELOPE, SEALING IT BEFORE A CORRECTIONAL OFFICER, AND LEAVING IT IN THE CUSTODY OF THAT SAME OFFICER AT CALIFORNIA SUBSTANCE ABUSE TREATMENT FACILITY AND STATE PRISON TO BE MAILED VIA THE UNITED STATES MAIL.

THIS HAS BEEN EXECUTED ON (date) January 02, 2014 AT CALIFORNIA SUBSTANCE ABUSE TREATMENT FACILITY AND STATE PRISON ON 0 YARD.

I (Inmate print name & CDC number) James P. Flynn III DECLARE UNDER THE PENALTY OF PERJURY UNDER THE LAW OF THE STATE OF CALIFORNIA THAT THE ABOVE STATEMENT IS TRUE AND CORRECT.

[Signature]  
SIGNATURE OF INMATE

\_\_\_\_\_  
SIGNATURE OF HOUSING OFFICER

\_\_\_\_\_  
SIGNATURE OF MAILROOM STAFF

CALIFORNIA SUBSTANCE ABUSE TREATMENT FACILITY AND STATE PRISON